



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P(MD)No.11605 of 2016

A.Amal Antony

: Petitioner

-Vs-

1.The Joint Director and Head of zone,
Central Bureau of Investigation,
III Floor, IVK Sampath Building,
College Road,
Chennai - 600 006.

2.The Superintendent of Police,
Central Bureau of Investigation,
Special Crime Branch,
A Wing, III Floor, Rajaji Bhawan,
Beasant Nagar,
Chennai - 600 090.

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to direct the respondents herein, particularly the second respondent to take legal action on the Petitioner's complaint, dated 30.06.2016 by registering a case.

For Petitioner : M/s.K.Rajeshwaran

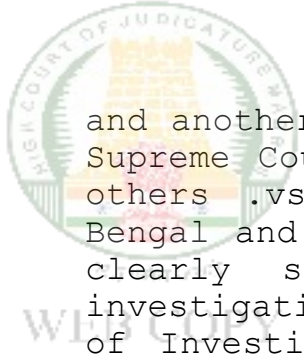
For Respondents :Mr.N.Ashok Kumar Gowtham

Special Public Prosecutor for CBI Cases

O R D E R

The Petitioner is an Advocate by profession and he sent a complaint, dated 30.06.2016 to the Central Bureau of Investigation making allegations against a private hospital namely Chennai Medical Hospital & Research Centre(SRM Group), Trichy, stating that the Medical College does not subscribe to the norms fixed by the Medical Council of India and that the management of the Medical College is accepting donations. It is also alleged that 26 Doctors, who were temporarily appointed ahead of the inspection by Medical Council of India, were terminated after the inspection and therefore the hospital does not have the necessary Medical Officers to take care of the needs of the patients.

2.At the outset, this Petition is not maintainable in view of the law laid down by Sukesan Transport Private Limited .vs. The Assistant Commissioner of Police, J2, Adayar Police Station, Chennai



and another reported in 2006(5) CTC 577, That apart, the Honourable Supreme Court of India in the case of State of West Bengal and others .vs. Committee for Protection of Democratic Rights, West Bengal and others reported in (2010) 3 Supreme Court Cases 571 has clearly stated that the High Court should not order CBI investigation in a cavalier manner. The powers of the Central Bureau of Investigation to investigate has been set out by the Delhi Police Establishment Act. That apart, the grievance of the Petitioner can be ventilated to the Medical Council of India, which is the authority to deal with Medical College Affiliations. In such view of the matter, it is not a fit case, in which, direction as sought for, can be granted.

3. Accordingly, this Criminal Original Petition stands dismissed, with liberty to the Petitioner to work out the remedy in the manner known to law.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

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A Wing, III Floor, Rajaji Bhawan,
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Chennai - 600 090.

3. The Special Public Prosecutor for
CBI Cases,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.K.Rajeshwaran, Advocate, SR.No. 43100

Order made in
CRL.OP(MD) No.11605 of 2016
Dated: 19.01.2018

vsn

<https://hcservices.ecourts.gov.in/hcservices/>
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